

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ORDER

Application 9677 Permit 5411 License 4190

ORDER AMENDING LICENSE

WHEREAS:

1. License 4190 was issued to Log Cabin Mines Company and recorded at the office of the Mono County Recorder on February 23, 1956.
2. License 4190 was subsequently assigned to Mr. Dink Getty.
3. License 4190 confers upon Mr. Dink Getty an appropriative right to use water from an unnamed cienaga and an unnamed spring, both tributary to Sadie Williams Creek thence Lee Vining Creek in Mono County.
4. Fish and Game Code Section 5946 requires that the State Water Resources Control Board condition Licenses that authorize diversion of water in Department of Fish and Game District 4 ½ (Inyo and Mono Counties) to specify compliance with Section 5937 of the Fish and Game Code.
5. The License was issued without referencing compliance with Section 5937.
6. Since amendment of License 4190 to require compliance with Fish and Game Code Section 5937 is a ministerial action, this Order is exempt from the provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines in accordance with Section 21080 of the Public Resources Code.

NOW, THEREFORE, IT IS ORDERED THAT:

The following condition is added to this License:

In accordance with the requirements of Fish and Game Code Section 5946, this License is conditioned upon full compliance with Section 5937 of the Fish and Game Code.

Dated: **JUNE 10 1997**


Walt Pettit
Executive Director

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 9677

PERMIT 5411

LICENSE 4190

ORDER ALLOWING CHANGE IN CHARACTER OF USE
AND SETTING ANNUAL USE LIMITATION

WHEREAS:

1. License 4190 was issued to Log Cabin Mines Company and was filed with the County Recorder of Mono County on February 23, 1956, and
2. The State Water Resources Control Board has found that the change in character of use under said license for which petition was submitted on January 30, 1973, will not operate to the injury of any other legal user of water, and
3. The Board has approved and allowed said change and has directed that an order be issued to describe said character of use in accordance with said petition,

NOW THEREFORE IT IS ORDERED THAT:

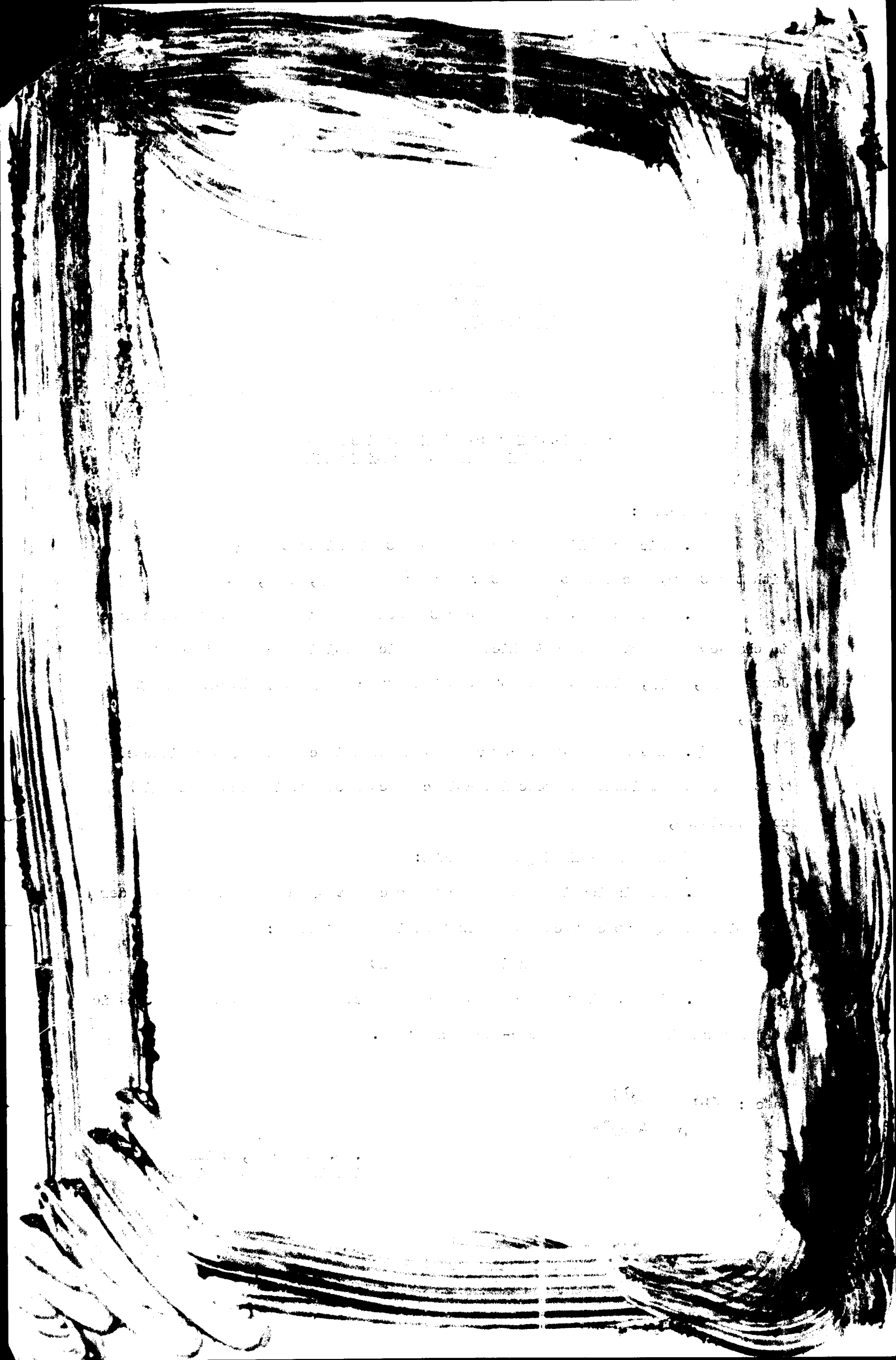
1. Permission is hereby granted to change the character of use under said License 4190 to character of uses described as follows:

MINING AND DOMESTIC

2. The total amount of water to be taken from the source for domestic purposes shall not exceed 4 acre-feet per annum.

Dated: MAY 9 1973

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights





STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

STATE ENGINEER

License for Diversion and Use of Water

APPLICATION

9677

PERMIT

5411

LICENSE

4190

This Is To Certify, That

Log Cabin Mines Company
431 West 7th Street, Suite 826
Los Angeles 14, California

(over)

made proof as of August 12, 1954
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
(1) unnamed cienaga (2) unnamed spring in Mono County

tributary to (1) and (2) Sadie Williams Creek thence Leevining Creek

for the purpose of mining use

under Permit 5411

of the Department of Public Works and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works and the terms of the said permit; that the priority of the right herein confirmed dates from July 25, 1939; and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed thirty-six thousandths (0.036) cubic foot per second from either or both sources to be diverted from January 1 to December 31 of each year.

The points of diversion of such water are located (1) North two hundred fifty (250) feet and west one thousand seven hundred (1700) feet from SE corner of Section 2, T 1 N, R 25 E, MDB&M, being within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 2.
(2) North two thousand one hundred twenty-five (2125) feet and east one hundred fifty (150) feet from SW corner of Section 1, T 1 N, R 25 E, MDB&M, being within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 1.

A description of the lands or the place where such water is put to beneficial use is as follows:

within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1, T 1 N, R 25 E, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent thereto, and the value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

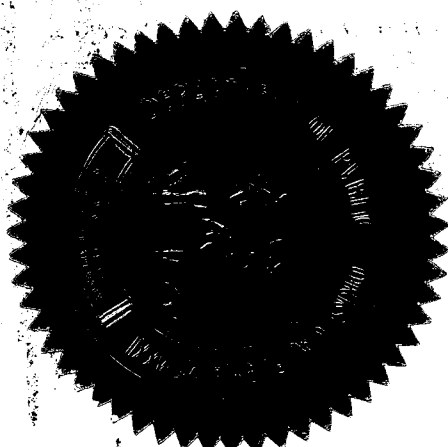
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public
Works of the State of California, this 21
day of February, 1956

HARVEY O. BANKS
Secretary, State Engineer

By 
L. C. Jopsen
Assistant State Engineer



4-1-89 asgd to Dink Getty

LICENSE 4190

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO Log Cabin Mines Company

DATED FEB 21 1956

25375-35 SM SFO